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OLC 0121-68

13 March 1968

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting at Justice on the President's Memorandum
of 16 February 1968 (Copy Attached) - 13 March 1968

1. A meeting was held on the above date at the Department of Justice on the President's memorandum of 16 February 1968 entitled "Security of Classified Information." Representatives of the following agencies were present:

Department of State
Department of Defense
Agency for International Development
Atomic Energy Commission
National Aeronautics and Space Administration
Office of Emergency Planning
U. S. Arms Control and Disarmament Agency
Central Intelligence Agency

The meeting was chaired by Mr. John F. Doherty, First Assistant, Internal Security Division, Department of Justice. Mr. Doherty made it clear that Justice really had no function to perform in this meeting and that it was merely for the purpose of getting the interested agencies together for an exchange of information to see how matters were handled by the individual departments.

2. Mr. Doherty did point out as background that the President had spoken to Senator Mansfield and Speaker McCormack about security of classified information and specifically the clearances of staff people on the Hill. Doherty also stated that in 1953 the Attorney General had

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agreed with the Committee Chairmen of the following Committees that FBI investigations would be undertaken for staff people of such Committees at the request of the Chairmen. The Committees are:

- Appropriations - House and Senate
- Judiciary - House and Senate
- Joint Committee on Atomic Energy
- Armed Services - Senate
- Foreign Relations - Senate

3. There was considerable discussion of how the various agencies approach the problem of staff clearances and coping with Committee hearings. It appeared that AEC and CIA applied rigid procedures on the question of Committee hearings and making information available only after clearances were obtained. Defense was a good second and the others were rather spotty. On the other hand, many of the departments were represented by General Counsel people who were not thoroughly familiar with what actually happened on the Hill.

4. Much time was consumed in discussion of procedures that should be followed in Committees and in members' offices. It was agreed finally that the Executive, of course, could not act as policemen but would have to, in each case, make necessary arrangements with the Chairmen, individual members or staff directors to get assurance as to proper handling of documentary information by only cleared personnel.

5. Mr. Doherty thought that possibly in unusual cases where no investigations had been conducted and there was not a proper basis for an individual agency to conduct one, the Attorney General, in view of the President's memorandum, would look favorably at specific requests for the FBI to conduct an investigation. The above point followed much discussion, educating many of those present on the fact that there was continuing exchange and cooperation between the security offices of the various agencies. At one point, the AEC representative stated that based on their statute they actually secured "Q" clearances on members. (This point is being looked into for verification.)

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6. At the close of the meeting, Mr. Doherty summarized the discussion with general agreement as follows:

- a. It was up to each individual department and agency to make the necessary arrangements for the people they deal with on the Hill to ascertain that security clearances are obtained prior to exposure to classified information.
- b. With respect to storage of transcripts and other classified documents, again each agency would have to make the necessary arrangements to gain the proper assurances.
- c. That references to staff members included all who would have access, i.e., secretaries, file clerks, hearing reporters, and hearing typists.



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JOHN S. WARNER
Legislative Counsel

Att.

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Remarks:			
<p>At Mr. Houston's request, I attended the meeting recorded in the attached. From the standpoint of Congress, no further action is required with Justice. Internally, of course, we are continuing OLC and Security discussions to improve our procedures. I raise the question for your consideration as to whether there should be any further action regarding the admonishment by the President concerning the Agency procedures in general.</p> <p style="text-align: right;">s/ John S. Warner John S. Warner</p>			
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THE WHITE HOUSE
Washington

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February 16, 1968

MEMORANDUM FOR

Secretary of State
Secretary of Defense
Director, Agency for International
Development
Director, Central Intelligence
Agency
Chairman, Atomic Energy Commission
Administrator, National Aeronautics
and Space Administration
Director, Office of Emergency Planning
Director, U.S. Arms Control and
Disarmament Agency

Security of Classified Information

It is imperative that every possible precaution is taken to insure that classified information, whether documentary in character or not, does not pass to those not entitled to receive it. Carelessness in this regard on the part of anyone in your organization can endanger the lives of American servicemen and the safety of other American citizens as well.

You are directed to review security measures and practices in your Department or Agency to make certain that everything possible is done to maintain the integrity of classified information and that all persons having access to classified material have been fully cleared through appropriate procedures. In addition, similar precautions are to be taken whenever you or one of your subordinates testifies before a congressional committee in executive session in relation to classified matter. More particularly, you or your subordinate should satisfy himself that everyone present or able to read the testimony to be given, except members of Congress, has a security clearance commensurate with the highest classification of the information that may possibly come up for discussion.

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